

## REMARKS

Claims 1-9 were pending and rejected. Claims 10-20 have been added in this amendment.

The Examiner has rejected claims 1-9 as obvious over Marovskis (US 5076457) in view of Gyenge (US 4674647). The Examiner acknowledges that Marovskis does not show two pair of opposed walls (Marovskis claims “two opposing open sides,” e.g. claim 1). First, there is no motivation for adding another pair of walls to the Marovskis crate. Additionally, there is no motivation for how to add another pair of walls to the Marovskis crate without interfering with the folding operation and the locking function (projections 49 and apertures 48) that are objectives of the Marovskis design. The second pair of walls as disclosed in Gyenge could not be added to the Marovskis crate without interfering with the projections 49 and apertures 48 and interfering with the folding of the walls. Therefore, none of the claims are obvious over Marovskis and Gyenge.

Additionally, even if these references were somehow combined, Marovskis does not disclose that each second opposed wall has a “recessed wall area” to receive the projection member of an other second opposed wall folded thereon, as recited by claim 1. The aperture 50 in the walls of Marovskis is not a “recessed wall area,” as recited by claim 1. Therefore, claim 1 is patentable for this additional reason.

Claim 5 recites that the lateral edge of the side wall has an upper projecting flange and recessed area. Even if the projection 49 of Marovskis were taken as the “upper projecting flange,” the projection 49 is not at the lateral edge of the side wall, nor is the aperture 50 at the lateral edge of the side wall, as recited by claim 5.

Claim 9 recites that the axes of rotation of the second opposed side walls are in a plane generally parallel to the bottom wall. As shown in Figure 2 of Marovskis and as described at col. 5, lines 18-20, "the plane in which the hinge 40 lies is spaced from the plane in which the hinge 42 lies."

New claim 13 recites, "at least one projection member for connecting to an adjacent one of the first walls when in the upright orientation." The projection 49 in Marovskis does not connect to a first wall. Even if another pair of walls were added to Marovskis, there is no suggestion, motivation or way of using the projection 49 to connect to an adjacent wall. Therefore, new claim 13 is patentable over Marovskis.

Information Disclosure Statement

Applicant filed an Information Disclosure Statement on November 4, 2003. It appears that the IDS and the Office Action may have crossed in the mail because there is no indication that the Examiner considered the IDS. Consideration of the November 4, 2003 IDS is requested.

Please charge Deposit Account No. 50-1984 in the amount of \$506 (including \$86 for one additional independent claim and \$420 for a two-month extension of time). If any other fees are due, please charge any such fees to Deposit Account No. 50-1984.

Respectfully submitted,



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